

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

and

Charleston District, Army Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403

November 1, 2013
Joint Permit Application Public Notice

Lucy V. Seabrook, 2013-01173-2G

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION: On and adjacent to Folly River at 3 Woody Lane, Folly Beach, Charleston County, South Carolina.
TMS: 328-09-00-003.

WORK: The work as proposed consists of constructing a community dock. Specifically, the applicant seeks to remove the existing structure and build a 6' x 216' walkway, with handrails, leading to a covered 24' x 26' pierhead. Ebbside of the pierhead, a 3' x 24' ramp will access a 12' x 50' floating dock with (4) 3' x 24' finger piers. An 11.67' x 26.67' floating jet dock is proposed at the end of the new floating dock. The work as described is for a community dock for three families.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before **December 1, 2013**. For more information, please contact:
Jeff Thompson at 843-953-0219 or via email at thompsdj@dhec.sc.gov.

NOTE: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at **www.scdhec.gov/environment/ocrm/public_notice.htm**.

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS

69A Hagood Avenue

Charleston, South Carolina 29403-5107

and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # ~~2013-01173-2G~~ 2013-01173-2G

31 October 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

LUCY SEABROOK

C/O ROBERT FRANK LAND SURVEYING

1923 MAYBANK HIGHWAY

CHARLESTON, SOUTH CAROLINA 29412

for a permit to construct a community dock for three families in the

FOLLY RIVER

at a location, 3 Woody Lane, Folly Beach, Charleston County, South Carolina.
(Latitude 32.655968° Longitude -79.954941°)

In order to give all interested parties an opportunity to express their views

NOTICE

**is hereby given that written statements regarding the proposed work will be received by
the Corps until**

15 Days from the Date of this Notice,

and SCDHEC will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

**from those interested in the activity and whose interests may be affected by the proposed
work.**

The proposed work consists of removal of the existing dock and construction of a new dock. The applicant proposes to construct a 24 x 26 fixed pierhead with a roof attached to high ground by a 6' x 216' walkway. The applicant also proposes to construct a 12' x 50' floating dock on the downstream side of the pierhead attached to the pierhead by a 3' x 24' ramp. In addition, four 3' x 24' finger piers will be attached to the landward side of the floating dock. Finally, the applicant proposes to install an 11.67' x 26.67' drive on jet dock on the downstream side of the floating dock. The purpose of the proposed work as stated by the applicant is to construct a

REGULATORY DIVISION

Refer to: P/N #SAC-2013-01173-2G

31 October 2013

community dock for the private recreational use of three families.

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project have minimal impact on estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking. In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics,

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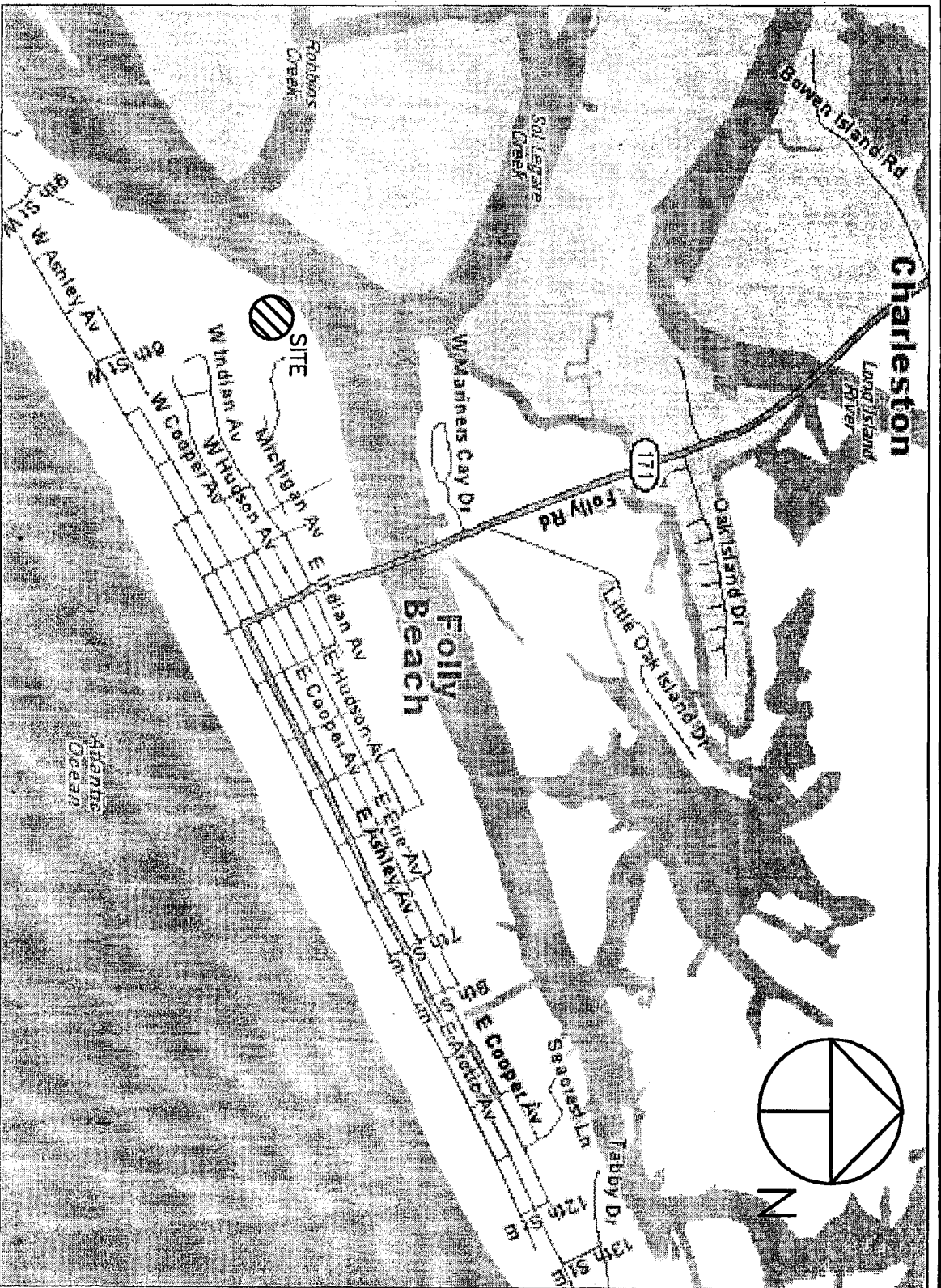
31 October 2013

general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.

Jeff Thompson
SCDHEC. OCRM
Project manager
843-953-0219



ADJOINING PROPERTY OWNERS:
 1. BUIST RIVERS (TO THE EAST)
 2. HORACE ROOKE (TO THE WEST)

APPLICATION BY:
 LUCY SEABROOK

ADDRESS: 3 WOODY LANE

DATE: AUGUST 5, 2013

REVISED:

LOCATION

SAC-2013-01173-219

A PROPOSED
 COMMUNITY DOCK
 AT 3 WOODY LANE
 LOCATED ON THE
 FOLLY RIVER
 TOWN OF FOLLY BEACH
 CHARLESTON COUNTY
 SOUTH CAROLINA

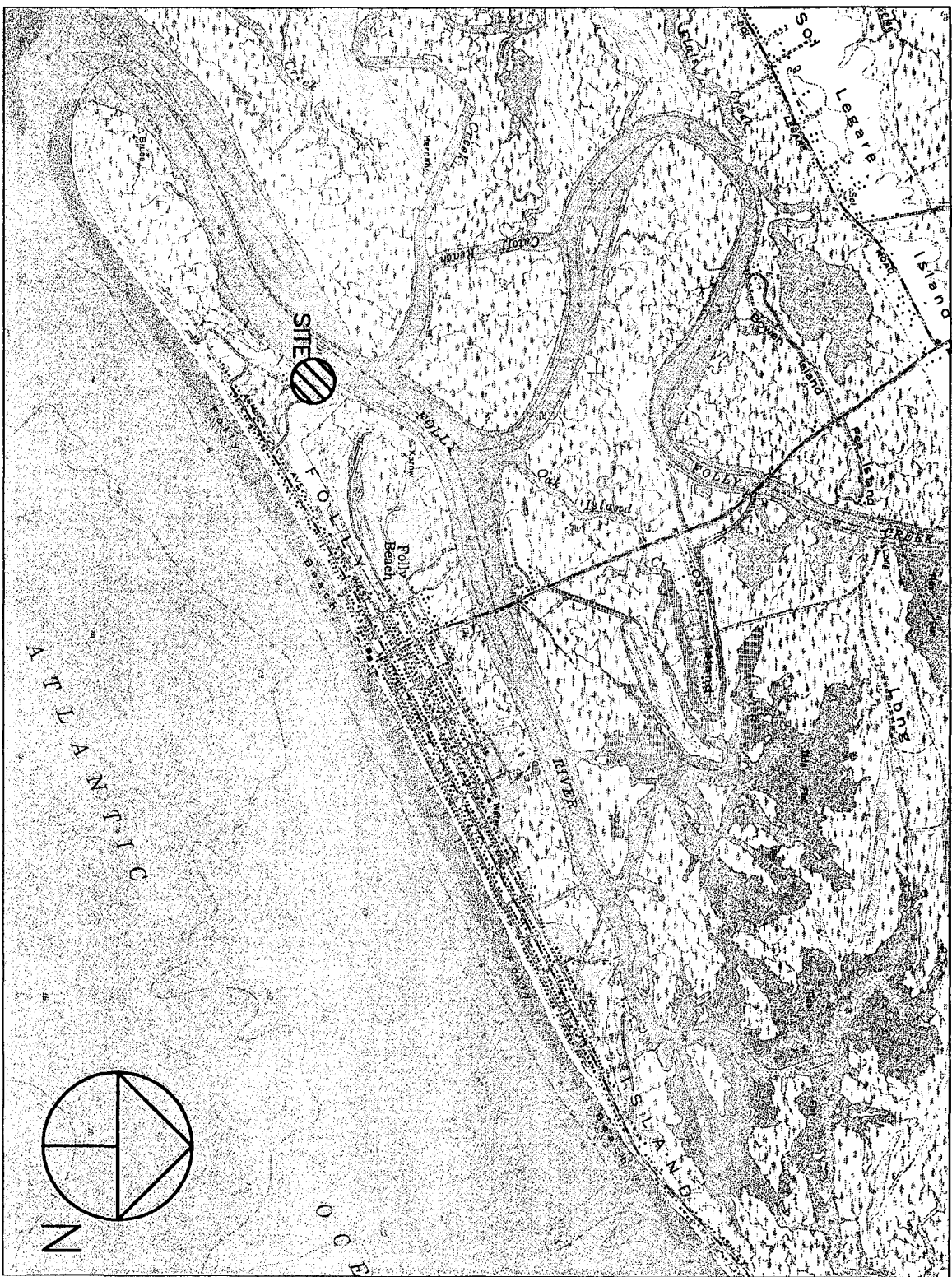
SHI. NAME

LOCATION
 MAP

SHI. NO.

2 OF 5

TMS #328-09-00-003



ADJOINING PROPERTY OWNERS:
 1. BUJST RIVERS (TO THE EAST)
 2. HORACE ROOKE (TO THE WEST)

APPLICATION BY:
 LUCY SEABROOK

ADDRESS: 3 WOODY LANE

DATE: AUGUST 5, 2013

REVISED:

LOCATION

A PROPOSED
 COMMUNITY DOCK
 AT 3 WOODY LANE
 LOCATED ON THE
 FOLLY RIVER
 TOWN OF FOLLY BEACH
 CHARLESTON COUNTY
 SOUTH CAROLINA

SHT. NAME

JAMES ISLAND
 QUADRANGLE MAP

PROJECT LATITUDE/LONGITUDE:

LATITUDE - 32°39'24.4"
 LONGITUDE - 79°57'17.1"

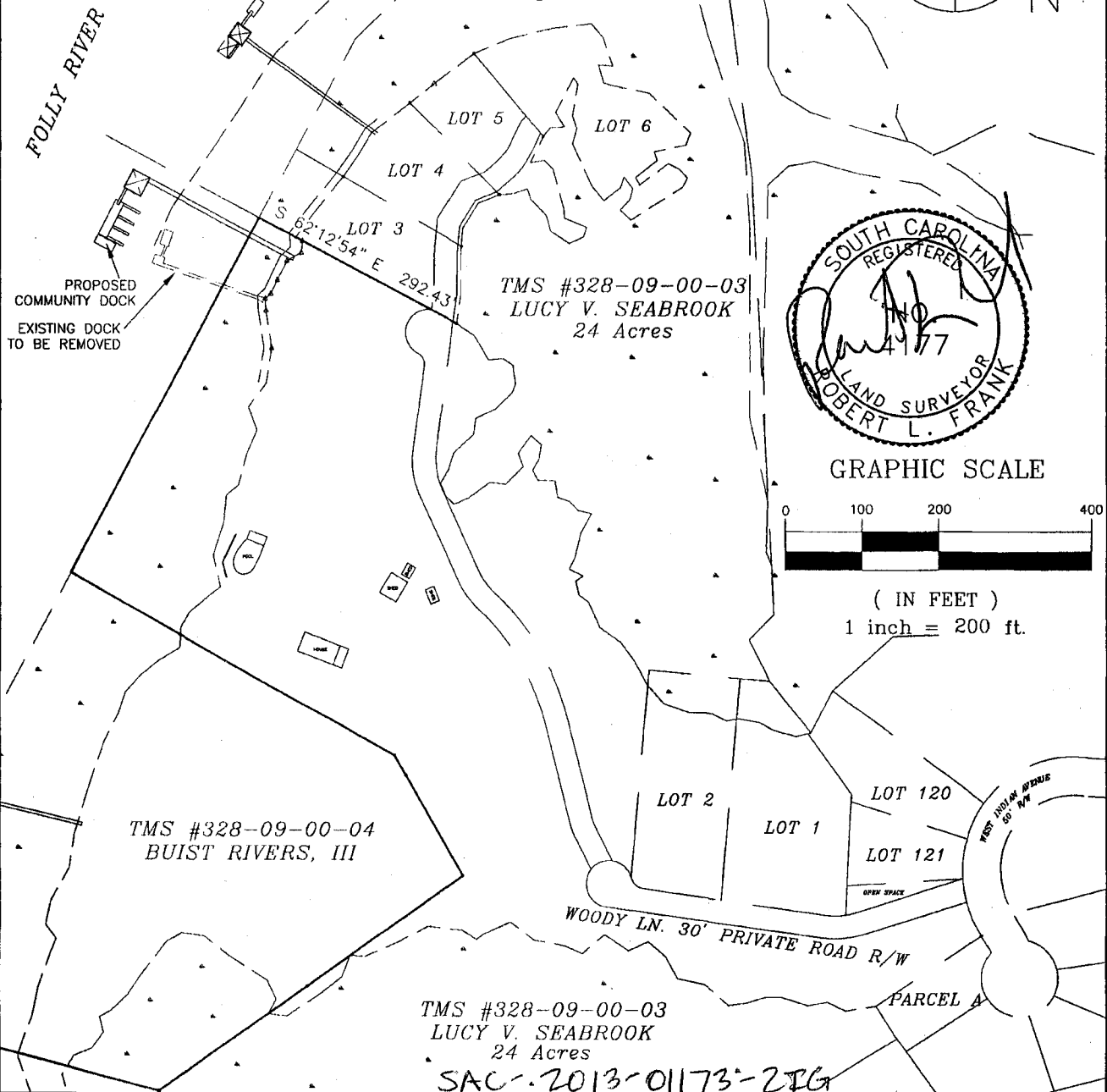
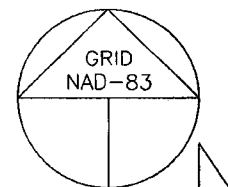
SHT. NO.

3 OF 5

TMS #328-09-00-003

SAC-2013-01173-21G

ADJOINING PROPERTY OWNERS:
 1. BUIST RIVERS (TO THE EAST)
 2. HORACE ROOKE (TO THE WEST)



APPLICATION BY: LUCY SEABROOK	LOCATION A PROPOSED COMMUNITY DOCK AT 3 WOODY LANE LOCATED ON THE FOLLY RIVER TOWN OF FOLLY BEACH CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME FULL PLAN VIEW TMS #328-09-00-003	SHT. NO. 4 OF 5
ADDRESS: 3 WOODY LANE			
DATE: AUGUST 5, 2013			
REVISED:			

